

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**[1] MARTHA DONELSON and [2] JOHN FRIEND,
ON BEHALF OF THEMSELVES AND ON
BEHALF OF ALL SIMILARLY SITUATED
PERSONS,**

Plaintiffs,

v.

**[1] UNITED STATES OF AMERICA;
DEPARTMENT OF INTERIOR; BUREAU OF
INDIAN AFFAIRS; [2] DEVON ENERGY
PRODUCTION COMPANY, L.P., [3]
CHAPARRAL ENERGY, LLC; [4] ENCANA OIL
& GAS (USA), INC.; [5] PERFORMANCE
ENERGY RESOURCES, LLC; [6] CEJA
CORPORATION; [7] CEP MID-CONTINENT,
LLC; [8] LINN ENERGY HOLDINGS, LLC;
[9] SULLIVAN & COMPANY, LLC; [10]
CARDINAL RIVER ENERGY, LP; [11] REVARO
OIL & GAS PROPERTIES, INC.; [12] BLACK
LAVA RESOURCES, LLC; [13] B & G OIL
COMPANY; [14] ORION EXPLORATION, LLC;
[15] NADEL AND GUSSMAN, LLC; [16]
LAMMAMCO DRILLING, LLC; [17] CLEAR
MOUNTAIN PRODUCTION, LLC; [18] SHORT
OIL, LLC; [19] WELLCO ENERGY, INC.; [20]
RAM ENERGY RESOURCES, INC.; [21] MARCO
OIL COMPANY, LLC; [22] BGI RESOURCES,
LLC; [23] HALCON RESOURCES
CORPORATION; [24] THE LINK OIL
COMPANY; [25] OSAGE ENERGY RESOURCES,
LLC; [26] TOOMEY OIL COMPANY, INC.; [27]
KAISER-FRANCIS ANADARKO, LLC;
[28] HELMER OIL CORP; [29] SPYGLASS
ENERGY GROUP, LLC; AND ALL OTHER
LESSEES AND OPERATORS AND OPERATORS
WHO HAVE OBTAINED A CONCESSION
AGREEMENT, LEASE OR DRILLING PERMIT
APPROVED BY THE BIA IN OSAGE COUNTY IN
VIOLATION OF NEPA,**

Defendants.

Case No. 14-CV-316-JHP-FHM

**DEFENDANTS' CEP MID-CONTINENT, LLC, AND
HALCON RESOURCES CORPORATION, f/k/a
RAM ENERGY RESOURCES, INC., MOTION TO DISMISS
PLAINTIFFS' FIRST AMENDED COMPLAINT, WITH BRIEF IN SUPPORT**

Defendants CEP Mid-Continent, LLC (“CEP”), and Halcon Resources Corporation, f/k/a Ram Energy Resources, Inc. (“Halcon”), hereby move this Court to dismiss all claims asserted by Plaintiffs. In support of their Motion, and in the interest of judicial economy, CEP and Halcon adopt and incorporate by reference herein the arguments set forth in (1) Defendants B&G Oil Company and Wellco Energy, Inc.’s Motion to Dismiss Plaintiffs’ First Amended Complaint [Doc. No. 124], (2) Defendant Devon Energy Production Co., L.P.’s Motion to Dismiss and Brief in Support [Doc. No. 136], (3) Defendants’ The Link Oil Company, Toomey Oil Company, Inc., and Oliphant Energy, Ltd., L.L.C.’s Motion to Dismiss and Brief in Support Thereof [Doc. No. 137], and (4) the Motion to Dismiss and Brief in Support Submitted by Defendants Performance Energy Resources, LLC, Short Oil, LLC, Marco Oil Company, LLC, Osage Energy Resources, LLC, Helmer Oil Corp., and Clear Mountain Production, LLC [Doc. No. 138].

For all the reasons set forth in those Motions and Briefs, Plaintiffs’ Amended Complaint [Doc. No. 46] should be dismissed. In addition, CEP and Halcon request that they be awarded their costs and attorneys’ fees, and such other relief as the Court deems just and proper.

/s/ J. Kevin Hayes

J. Kevin Hayes, OBA #4003

Pamela S. Anderson, OBA #11613

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CEP MID-CONTINENT, LLC and

HALCON RESOURCES CORPORATION,

f/k/a RAM ENERGY RESOURCES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2014, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System and transmittal of a Notice of Electronic Filing to all persons who have entered their appearance as ECF registrants in this case.

/s/ J. Kevin Hayes

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